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Paper No. 5

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

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SEP 7 2001

In re Application of
Como, Gary, *et al.*
Application No. 09/710,154
Filed: 11/09/2000
Attorney Docket No. 10022/18

OFFICE OF PETITIONS

**DECISION GRANTING STATUS
UNDER 37 C.F.R. §1.47(a)**

This is in response to the August 1, 2001 petition under 37 C.F.R. §1.47(a).

Applicant filed the above-identified application on November 9, 2000, naming Gary Como, Sheryl L. Graham, Doug Grimm, Barry Smiach, Arnold Z. Huffman, Richard R. Krahn, John Mitchell, and Michael S. Sweeney as joint inventors. However, the application did not include the declaration required under 37 C.F.R. §1.53. Accordingly, on January 31, 2001, the Office of Initial Patent Examination mailed a notice to file missing parts (hereinafter "the notice") to the address of record. The notice set a two month deadline for replying, running from the mail date of the notice.

Petitioner filed his response to the notice (which included a petition for a four month extension of time and payment of all outstanding fees) on August 1, 2001.

The above-identified application and papers have been reviewed and found in compliance with 37 C.F.R. §1.47(a). This application is hereby accorded Rule 1.47(a) status. As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to the Office of Initial Patent Examination for further processing under rule 1.47(a).

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-5593

Scott M. Ledford
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



Mr. John Mitchell
7129 Pelican Island Drive
Tampa, Florida 33634

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Dear Mr. Mitchell:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 C.F.R. §1.47(a) (Rules of Practice in Patent Cases). Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 C.F.R. §1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel or record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. §1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 703-306-5593. Requests for information regarding your application should be directed to the File Information Unit at 703-308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification division at 703-308-9726 or 1-800-972-6382 (outside the Washington, D.C. area).

Scott M. Ledford
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: BRINKS HOFER GILSON & LIONE
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